

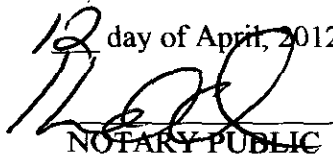


460.15 for a certificate of appeal to the CPL § 440.10 motion and the Appellate Division:  
Second Department's denial dated February 14, 2012.

4. WHEREFORE, I respectfully request that this Court enter an order pursuant to Federal Rules of civil Practice § 15(b) amending my CPL § 440.10 motion into my writ of habeas corpus.

Sworn to before me this

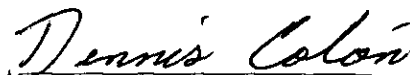
12 day of April, 2012



NOTARY PUBLIC

Harry D. Durgan  
Notary Public, State of New York  
No. 01DU6008379  
Qualified in Clinton County  
Commission Expires

6/8/2014

  
Dennis Colon, #06-A-4298  
Clinton Correctional Facility  
P.O. Box 2001  
Dannemora, New York 12929